

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JACOB BROWN, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

FAITH BROWN,

Respondent-Appellant.

UNPUBLISHED

October 4, 2007

No. 277711

Kalamazoo Circuit Court

Family Division

LC No. 06-000025-NA

Before: Bandstra, P.J., and Talbot and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right the order of the trial court terminating her parental rights to her minor child pursuant to MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm.

The trial court's findings that termination was warranted under these subsections are supported by ample evidence on the record regarding respondent's ongoing drug use, homelessness, unemployment, and failure to cooperate with the agency. Respondent failed to take any of the steps necessary to regain custody of the child, making virtually no progress in counseling and even failing to visit regularly with the child. In light of the record, the trial court did not clearly err in finding that clear and convincing evidence warranted termination under the aforementioned subsections. *In re Fried*, 266 Mich App 535, 540-541; 702 NW2d 192 (2005); MCR 3.977(J).

For the same reasons, the record also supports the trial court's finding that termination was not contrary to the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). We reject respondent's argument that it was error for the trial court to terminate her parental rights without considering respondent's own mother as a potential guardian of the child. The record does not indicate that respondent presented a viable guardianship plan to the trial court, nor does the record indicate that respondent's mother was either willing or able to assume the guardianship of the child.

We affirm.

/s/ Richard A. Bandstra

/s/ Michael J. Talbot

/s/ Karen M. Fort Hood